

Testimony re Senate Bill 136
"Religious Liberty and Conscience Protection Act"

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Senate Health Policy Committee
March 14, 2013

Senate Bill 136 raises significant problematic issues for psychologists. There is no question that religious liberty is a founding and sacred principle of our nation and all people should be free to act in accordance with their religious and moral principles and personal conscience. This does not, however, give health care providers the right to impose our individual beliefs on the people who come to us in need.

Rules that attempt to codify psychologists' use of their religious or moral beliefs to determine who they will serve are in opposition to principles and standards of the American Psychological Association's *Ethical Principles of Psychologists and Code of Conduct*:

Psychologists are charged to do no harm, and the principle of beneficence outlines that psychologists should concern themselves with the welfare of those with whom they work:

Principle A: Beneficence and Non-maleficence

Psychologists strive to benefit those with whom they work and take care to do no harm. In their professional actions, psychologists seek to safeguard the welfare and rights of those with whom they interact professionally and other affected persons... When conflicts occur among psychologists' obligations or concerns, they attempt to resolve these conflicts in a responsible fashion that avoids or minimizes harm...

The ethics code also states clearly that all persons are entitled to psychological healthcare, and it prohibits using bias to restrict access and quality of services:

Principle D: Justice

Psychologists recognize that fairness and justice entitle all persons to access to and benefit from the contributions of psychology and to equal quality in the processes, procedures, and services being conducted by psychologists. Psychologists exercise reasonable judgment and take precautions to ensure that their potential biases, the boundaries of their competence, and the limitations of their expertise do not lead to or condone unjust practices.

The APA ethics code also expressly delineates psychologists' duty is to try to eliminate biases in their work and to respect human diversity:

Principle E: Respect for People's Rights and Dignity

Psychologists respect the dignity and worth of all people, and the rights of individuals to privacy, confidentiality, and self-determination. Psychologists are aware that special safeguards may be necessary to protect the rights and welfare of persons or communities whose vulnerabilities impair autonomous decision making. Psychologists are aware of and respect cultural, individual, and role differences, including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, and socioeconomic status and consider these factors when working with members of such groups. Psychologists try to eliminate the effect on their work of

biases based on those factors, and they do not knowingly participate in or condone activities of others based upon such prejudices.

The ethics code provides guidance to psychologists for how to resolve potential conflicts that might arise, and it is emphasized that psychologists attempt to prevent this conflict from occurring. If psychologists must interrupt care, the welfare of the client or patient is the highest priority:

Psychologists are expressly prohibited from practicing discrimination, and the use personal beliefs do not exempt psychologists from this professional standard in care:

3.01 Unfair Discrimination

In their work-related activities, psychologists do not engage in unfair discrimination based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, socioeconomic status, or any basis proscribed by law.

The ethical duty of persons who choose to take on the role of psychologists in health-care is to place the health and well-being of those receiving psychological services as paramount. Those who are already marginalized may be at greatest risk of losing access to quality healthcare if providers are permitted to discriminate based on their personal beliefs. In many instances, such as rural communities and schools, there are few options for referral and refusing to provide psychological services can leave individuals at risk of increased pain, trauma and even death.

“Conscientious” refusal rules have the potential to restrict access to healthcare for *anyone* and for any potential belief that could be considered a person’s morality. Those in our community who already struggle to access quality healthcare are likely to suffer from such rules of conscience, and psychologists hold an ethical duty to place the freedoms, autonomy, and health of patients as a higher priority than personal belief.

I urge you to require that psychologists and other health care providers serve the citizens of Michigan according to our codes of ethical behavior, while enjoying the freedom to base their personal decisions and behavior on their religious and moral beliefs and conscience.

I can be reached at mpadpa@msn.com or 248-302-6774 for further discussion.

ⁱ American Psychological Association. (2002). American Psychological Association ethical principles of psychologists and code of conduct. <http://www.apa.org/ethics/code/index.aspx>